

Adulteration of the product was alleged in the information for the reason that a compound alcoholic beverage prepared from apple juice, starch sugar, saccharin, and benzoate of soda had been mixed and added to the said article of food so as to reduce, lower, and injuriously affect its quality and strength, and for the further reason that said substance had been substituted wholly or in part for the pure apple cider the article purported to be. Misbranding was alleged for the following reasons: (1) In that the statement contained on the label, "Apple Cider," was false and misleading, as it conveyed and was calculated and intended to convey the impression to the purchaser or purchasers thereof that the product was a pure apple cider, whereas it was a compound alcoholic beverage prepared from apple juice, starch sugar, saccharin, and benzoate of soda; (2) in that the statement on said label, "Fortified with sugar," was false and misleading, as it conveyed the impression and was calculated and intended to convey the impression that the product was fortified with cane sugar, whereas, in truth and in fact, it was fortified with starch sugar and not with cane sugar; (3) in that the statement contained on said label, "Conforms to the provisions of the Food and Drugs Act as passed by Congress of June 30, 1906," was false and misleading and it conveyed and was calculated and intended to convey the impression that the product was not adulterated or misbranded, whereas, in fact, the product was both adulterated and misbranded, and that it was represented as a pure apple cider, when, in fact, it was a compound alcoholic beverage prepared in whole or in part from the ingredients above stated; (4) in that it was labeled and branded so as to deceive and mislead the purchaser or purchasers into the belief that the same was pure apple cider, fortified with cane sugar, whereas the same was a compound alcoholic beverage, prepared from apple juice, fortified with starch sugar, and contained saccharin and benzoate of soda; (5) in that the label aforesaid contained the statement "No distilled spirits, wine, fermented juice of grapes or other small fruits or alcoholic liquors being added," whereas, in fact, the article contained approximately 7.72 per cent by volume of alcohol; (6) in that the label did not disclose the presence or percentage of alcohol contained in said article as required by said act of Congress.

On November 13, 1913, the defendant company entered a plea of guilty to the information and the court imposed a fine of \$25, with costs of \$15.85. When the case was reported for prosecution no charge of misbranding was made because the label of the product failed to bear a statement showing the quantity or proportion of alcohol contained therein.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *February 18, 1914.*

**2890. Adulteration and misbranding of olive oil. U. S. v. Giovanni Cristani. Plea of guilty. Fine, \$25. (F. & D. No. 4346. I. S. No. 15337-d.)**

On August 8, 1912, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Giovanni Cristani, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, on January 17, 1912, from the State of New York into the State of Connecticut, of a quantity of olive oil which was adulterated and misbranded. The product was labeled: "Pure Olive Oil—Product of Italy—Etruria Brand Finest Olive Oil for table use and medicinal purposes. Olio d'Oliva Puro—Prodotto Italiano Marca Etruria."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

Specific gravity at 15.5° C.....	0. 9205
Index of refraction at 25° C.....	1. 4700
Iodin number.....	100. 6
Cottonseed oil test.....	Positive.

Adulteration of the product was alleged in the information for the reason that a substance, to wit, cottonseed oil, had been substituted in part for the article, to wit, olive oil. Misbranding was alleged for the reason that the label and package of the article bore a statement, "Pure Olive Oil," which said statement was false and misleading in that the article was not pure olive oil, but a mixture of olive oil and cottonseed oil; and further, in that the label and package bore a statement, "Product of Italy," which said statement was false and misleading in that it represented that the article was an olive oil imported from Italy, whereas in fact the article was a mixture of olive oil and cottonseed oil manufactured in the United States; and was further misbranded in that it was labeled and branded so as to mislead and deceive the purchaser into the belief that the article was pure olive oil imported from Italy, whereas in fact it was a mixture of olive oil and cottonseed oil produced and manufactured in the United States; and was further misbranded in that it was falsely branded as to the country in which it was manufactured and produced, that is to say, the said article on the label, container, and package thereof purported to be a foreign product of the Kingdom of Italy, whereas in fact the article was a product manufactured in the United States of America.

On November 18, 1912, the defendant entered a plea of guilty to the information and the court imposed a fine of \$25.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *February 18, 1914.*

**2891. Adulteration and misbranding of vanilla flavor. U. S. v. H. T. Hackney Co. Plea of guilty. Fine, \$10 and costs. (F. & D. No. 4348. I. S. No. 7927-d.)**

On October 10, 1912, the United States attorney for the Eastern District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the H. T. Hackney Co., a corporation, Knoxville, Tenn., alleging shipment by said company, in violation of the Food and Drugs Act, on December 15, 1911, from the State of Tennessee into the State of North Carolina, of a quantity of so-called vanilla flavor which was adulterated and misbranded. The product was labeled: "Lowe's Red Diamond Vanilla Flavor Colored. Containing not less than 3% soluble matter vanilla bean. For flavoring pastry, &c. Knoxville Drug Co., Knoxville, Tenn."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

Specific gravity, at 20°/4° C.....	0.9841
Ethyl alcohol (per cent by volume).....	37.3
Methyl alcohol (per cent by volume).....	None.
Solids (per cent by weight).....	8.66
Sucrose (per cent by weight).....	2.47
Reducing sugars (per cent by weight).....	5.32
Ash (per cent by weight).....	0.24
Vanillin (per cent by weight).....	0.06
Coumarin (per cent by weight).....	None
Normal lead number.....	0.36
Vanilla resin reactions, satisfactory.	
Volume in container (average of six bottles measured) (cc).....	30.6
Coloring matter, natural, reinforced with caramel.	

Adulteration of the product was alleged in the information for the reason that it was labeled in large type "Vanilla Flavor," and was invoiced and sold as vanilla flavor, and a substance, to wit, a dilute flavor of vanilla, artificially colored with caramel, had been mixed and packed with it so as to reduce, lower, and injuriously affect its quality and strength; and further in that a substance, to wit, a dilute flavor of vanilla, artificially colored with caramel, had been substituted wholly or in part for the article